



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,800	09/08/2003	Eric C. Peters	A1992007DC2	1582

26643 7590 07/09/2009
OLIVER STRIMPEL, PATENT COUNSEL
AVID TECHNOLOGY, INC.
ONE PARK WEST
TEWKSBURY, MA 01876

EXAMINER

DUNN, MISHAWN N

ART UNIT	PAPER NUMBER
----------	--------------

2621

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

07/09/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

oliver.strimpel@avid.com
cathy.samra@avid.com

Office Action Summary	Application No. 10/657,800	Applicant(s) PETERS ET AL.	
	Examiner MISHAWN DUNN	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 16-19 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's arguments with respect to the rejection(s) of claim(s) 20 and 21 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Frederiksen (US Pat. No. 5,272,529).
5. Consider claim 16. Frederiksen teaches an apparatus for compressing video information, wherein the video information includes consecutive images including at least one substantially redundant image, comprising: means for receiving data indicative of which images in consecutive images in the video information are substantially

Art Unit: 2621

redundant; means responsive to the received data for removing the substantially redundant images (col. 5, lines 8-25); means for compressing the video information without the substantially redundant images (col. 4, lines 36-40); and means for storing the compressed video information and the data indicative of the substantially redundant consecutive images (col. 12, lines 54-56).

6. Claim 18 is rejected using similar reasoning as the corresponding claim above.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 17 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frederiksen (US Pat. No. 5,272,529) in view of Official Notice.

9. Consider claim 17. Frederiksen does not explicitly teach wherein the data indicative of the substantially redundant consecutive images is stored in association with the compressed video information.

However, it is obvious that the indicative data is stored in association with the compressed video information for identification, removal, and restoration of the redundant frames (col. 5, lines 8-25). Official Notice is taken.

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to store the data indicative of the substantially

Art Unit: 2621

redundant consecutive images in association with the compressed video information, in order to compress the video data into a low data rate signal while maintaining a quality picture.

10. Consider claim 20. Frederiksen teaches a method for decompressing stored and compressed digital video information having a frame rate corresponding to 24 frames per second, wherein the compressed digital video information was generated by eliminating substantially redundant consecutive images in uncompressed digital video information originating from a video signal having a frame rate of 29.97 frames per second, wherein the compressed digital video information has associated information indicating where the substantially redundant consecutive images were located in the uncompressed digital video information, the method comprising: receiving the associated information indicating where the substantially redundant consecutive images were located in the uncompressed digital video information; decompressing the compressed digital video information to provide corresponding decompressed digital video information at a frame rate of 24 frames per second; and generating a video signal having a frame rate of 29.97 from the decompressed video signal by reintroducing the substantially redundant consecutive images according to the received information (col. 5, lines 8-25).

Frederickson does not explicitly teach a frame rate of 29.97.

However, the examiner takes official notice that it is well known in the art for the NTSC signal to be 29.97 fps.

Art Unit: 2621

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to provide a frame rate of 29.97, in order to reduce interference.

11. Claim 19 and 21 are rejected using similar reasoning as the corresponding claims above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/
Examiner, Art Unit 2621
July 1, 2009

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621